

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**MARY S.**<sup>1</sup>,

Plaintiff,

v.

**ANDREW M. SAUL**,  
Commissioner of Social Security,

Defendant.

Case No. 6:17-cv-01084-JE

OPINION AND ORDER

**MOSMAN, J.**,

On July 10, 2019, Magistrate Judge John Jelderks issued his Findings and Recommendation (“F&R”) [22], recommending that I AFFIRM the Commissioner’s decision and DISMISS this action. Neither party objected.

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal

<sup>1</sup> In the interest of privacy, this opinion uses only the first name and the initial of the last name of the nongovernmental party in this case.

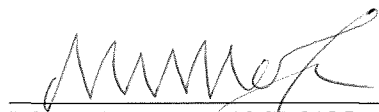
conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

### CONCLUSION

Upon review, I agree with Judge Jelderk's recommendation and I ADOPT the F&R [22] in full. I AFFIRM the Commissioner's decision and DISMISS this action with prejudice.

IT IS SO ORDERED.

DATED this 13 day of September, 2019.

  
MICHAEL W. MOSMAN  
Chief United States District Judge